

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 12, 2004 PLANNING COMMISSION MEETING

P.A.S.: Waiver of Design Standards #04007

PROPOSAL: Waive sidewalks, street trees, street improvements and dedication of additional right-of-way associated with Wenzl Final Plat #04033.

LOCATION: N. 48th St. & Doris Bair Cir.

LAND AREA: 6.04 acres, more or less

CONCLUSION: There are no unusual circumstances that would warrant the approval of the waiver to sidewalks, street trees or right-of-way. The installation of sidewalks and street trees and the dedication of right-of-way does not create a hardship or injustice to the subdivider.

The waiver to street improvements is acceptable provided the applicant does not object to any future assessment.

<u>RECOMMENDATION:</u>	
Sidewalks	Denial
Street Trees	Denial
Street improvements	Approval
Right-of-way	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 121 I. T. located in the SE 1/4 of Section 5, Township 10 North, Range 7 East, Lancaster County, Nebraska.

EXISTING ZONING: I-1 Industrial

EXISTING LAND USE: Industrial

SURROUNDING LAND USE AND ZONING:

North: I-1 Industrial
South: I-1 Industrial
East: I-1 Industrial
West: I-1 Industrial

HISTORY:

March 19, 2004 Wenzl Addition final plat was submitted to the Planning Department.

February 26, 2001 HJB Industrial Park 2nd Addition Administrative final plat was approved by the Planning Director.

December 1, 1997 48th & Superior Addition Administrative Final Plat was approved by the Planning Director.

December 8, 1995 Doris Bair Park 2nd Addition Administrative Final Plat was approved by the Planning Director.

COMPREHENSIVE PLAN SPECIFICATIONS:

“Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents.” (F-18)

“Sidewalks should be provided on both sides of all streets, or in alternative locations as allowed through design standards or the Community Unit Plan process.” (F-66)

“Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling and provide multiple connections within and between neighborhoods.” (F-66)

“The sidewalk system should be complete and without gaps.” (F-89)

Right-of-Way widths for projects on the Year 2025 Street and Highway Improvement Plan are displayed on the Right-of-Way Standards map. (F-112)

Collector Streets: These streets serve as a link between local streets and the arterial system. Collectors provide both access and traffic circulation within residential, commercial and industrial areas. moderate to low traffic volumes are characteristic of these streets. (F-105)

TRAFFIC ANALYSIS:

The 2025 Comprehensive Plan designates N. 48th St. as a collector. The Plan identifies N. 48th St. as 100' R-O-W and is listed as a proposed project for 4 lanes + turn lanes.

The 2003-2009 Capital Improvement Program (CIP) identifies N. 48th St. as proposed project #91 for 2008-09 and beyond.

Project 91: N. 48th St. –Doris Bair Cir. to Greenwood St.

Improve existing N. 48th St. to four through lanes plus left and/or tight turn lanes at intersections. This project will improve safety and capacity, and serve traffic generated by development in north Lincoln. Local funds. Project length 1.5 miles. (2008-09 and beyond)

ANALYSIS:

1. The applicant is requesting a waiver to the installation of sidewalks, street trees, dedicating additional right-of-way and improvements to N. 48th St. This is associated with Wenzl Addition final plat.
2. Section 26.27.010 requires that all streets shall be graded to their full width and that all streets abutting and within a new subdivision shall be paved with curbs and gutters. N. 48th St. is shown as a proposed project in the CIP. Since N. 48th St. is in the CIP, Planning does not object to the waiver to street improvements provided the applicant does not object to any future assessment.
3. Section 26.27.090 of the Land Subdivision ordinance requires that street trees be planted on both sides of all streets within the subdivision and on the side of the streets abutting the subdivision.
4. Section 26.27.020 of the Land Subdivision Ordinance stated that sidewalks shall be constructed on both sides of all streets within the subdivision and on the side of the streets abutting the subdivision.
5. The 2025 Comprehensive Plan identifies N. 48th St. for 100' right-of-way.
6. Three previous subdivisions; Doris Bair Park 2nd Addition, 48th & Superior Addition and H.J.B. Industrial Park 1st Addition; that abut N. 48th St. in this area have been approved. All three subdivisions required a surety to be posted for sidewalks and street trees for N. 48th St.
7. The subdivision ordinance allows four years after the plat is approved to install sidewalks and street trees.
8. Currently N. 48th St. is a rural design two lane asphalt cross-section with the drainage in shoulder ditches. Future improvements will allow for the installation of sidewalks and street trees.

9. Public Works Department recommends that the waiver to sidewalks and right-of-way not be granted.
10. In lieu of posting a surety, the City would accept a cash contribution for street trees and sidewalks. The City would then use the funds to install sidewalks and street trees after N. 48th St. is approved. Parks & Recreation Department agrees with this alternative.

Prepared by:

Tom Cajka, 441-5662, tcajka@ci.lincoln.ne.us
Planner

DATE: April 29, 2004

APPLICANT: Duane Wenzl
4600 N. 48th St.
Lincoln, NE 68504
(402) 488-2771

OWNER: same as applicant

CONTACT: same as applicant



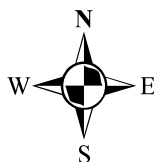
2002 aerial

Waiver #04007 N. 48th & Superior St.

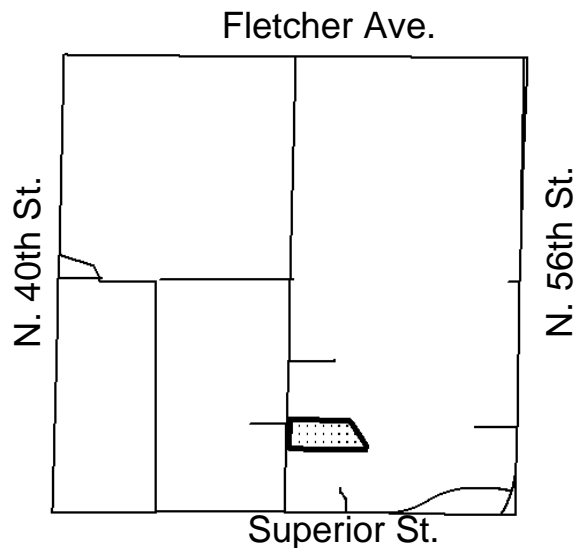
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 5 T10N R7E



Zoning Jurisdiction Lines
City Limit Jurisdiction



"WENZL ADDITION"

Final Plat

Lot 2, Doris Bair Park 2nd Addition
(Not a Part)

N89°20'39"E
681.24'

321.24'

Cd.Brg.=S30°07'27"E
Cd.=57.63'

57.63'

LOT 1

(22,399)
Square Feet

M.95.10.00N
140.00'

N89°20'39"E
180.00'

LOT 3 (199268)
Square Feet

LOT 2 (41,630)
Square Feet

N89°21'55"E
242.80'

N00°01'56"W
333.12'

North 48th Street

30' Wide Utility Easement
Open Drainage Channel Easement

S35°32'08"E
237.08'

Cd.=100.38'
Cd.Brg.=
S21°42'27"E

100.38'

Lot 1,
Park (r)

564.85'

881.42'
S89°21'55"W

LOT 87 I.T. (Not a Part)

Lot 6, Block 1, H.J.B. Industrial
Park 2nd Addition (Not a Part)

Lot 5, Block 1, H.J.B. Industrial
Park 2nd Addition (Not a Part)

② Curve Data:

$\Delta=2739'17"$
 $R=210.00'$
 $Cd.=100.38'$
 $Arc=101.36'$
 $Tan.=51.69'$
 $Cd.Brg.=S21°42'27"E$

① Curve Data:

$\Delta=10°49'18"$
 $R=305.58'$
 $Cd.=57.63'$
 $Arc=57.72'$
 $Tan.=28.94'$
 $Cd.Brg.=S30°07'27"E$

- = Found 3/4" Iron Pipe
- = Found 1" Iron Pipe
- = Set 5/8"x24" Rebar with L.S.#343 Cap
- = Found 3/4" Rebar
- x = Chisled "X" in Concrete
- M = Measured Distance
- P = Platted Distance

APR 15 2004

Memorandum

To:	Tom Cajka, Planning Department
From:	Dennis Bartels, Engineering Services
Subject:	Wenzl Addition Waivers
Date:	April 28, 2004
cc:	Randy Hoskins

Engineering Services has the following comments concerning requested waivers to Wenzl Addition:

1. We recommend that sidewalks not be waived. Other final plats in the area were required to post sidewalk bonds. A sidewalk system to the softball complex to the north would be desirable.
2. The City has identified widening 48th Street north to Doris Bair Circle. The Comprehensive Plan calls for 100' of right-of-way. I recommend requiring a dedication to 50' east of centerline of 48th.
3. Since there are no curb and gutter sections north and south of this plat in 48th and the City has a proposed CIP project for North 48th across the frontage of this plat, I recommend the requirement for curb and gutter as a requirement of this plat be waived. A condition waiving the right to object to a future assessment would be appropriate.

Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: May 4, 2004

Re: Waiver 04007 (Revision)

Staff members of the Lincoln Parks and Recreation Department find it an acceptable alternative to accept payment for the cost of street trees in lieu of the waiver or posting a surety.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

April 15, 2004

Mr. Tom Cajka
Planner
Lincoln/Lancaster County Planning Department
555 S. 10th St.
Lincoln, NE 68508

Mr. Cajka:

This letter is a request for waiver of sidewalks, street trees, and street improvements along east side of North 48th Street, approximately 654'± north of Superior Street, a distance of 333.12' at the "WENZL ADDITION", Lots 1, 2, and 3.

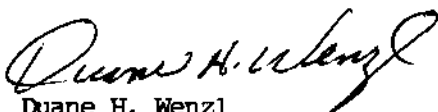
We request sidewalk waiver because sidewalk does not exist along North 48th Street at any adjacent property. Nearest existing sidewalk is located along the south side of Superior Street, heading south on the west side of North 48th. In addition, site/street drainage is by open roadside ditches along the 2-lane North 48th Street draining north towards the North 48th Street Landfill.

We request tree waiver because no trees exist along North 48th Street at the adjacent property to the south all the way to Superior Street, approximately 654'±.

We request waiver of street improvements and widening of right-of-way because North 48th Street is a 2-lane street without curbing and having open roadside ditches starting approximately 175' south of "WENZL ADDITION" and extending north to the North 48th Street Landfill. The possibilities of widening North 48th Street would be slim to none at best due to the fact that it is a dead end into the 48th Street landfill. Also, surrounding businesses along North 48th have buildings and parking lots out to the setbacks for a 66' right-of-way.

If you have any questions you would like to discuss, please call me at 402-466-6544 or fax me at 402-466-7886.

Thank you



Duane H. Wenzl
President
DU-MAR-FRE Development

